

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1, 3-8, and 16-17 are pending in the present application. In the present Amendment, Claims 1, 3, 8, 16, and 17 are amended without introducing any new matter; and Claim 2 is canceled without prejudice or disclaimer.

In the final Office Action of October 15, 2007, Claims 1, 16, and 17 were rejected under 35 U.S.C. §103(a) as unpatentable over Kitsutaka (U.S. Patent 7,042,463), and Claims 2-8 were indicated as allowable if rewritten in independent form.

In response, Applicants filed a first Amendment under 37 C.F.R. § 1.116 on November 21, 2007 to respond to the outstanding issues.

The Advisory Action of December 12, 2007 did not enter the Amendment filed on November 21, 2007, and rejected Claims 1, 16, and 17 as being indefinite under 35 U.S.C. § 112, second paragraph.

Applicants thank the Examiner for the indication of allowable subject matter in the final Office Action. In view of this indication, independent Claims 1, 16, and 17 have been amended to recite the allowable subject matter of Claim 2. In addition, in response to the rejections formed in the Advisory Action, the language of Claims 1, 16 and 17 has been adapted to address issues on antecedent basis. Accordingly, Claim 2 has been canceled without prejudice or disclaimer. Thus, it is believed that the outstanding rejection on the merits is overcome.

Applicants respectfully request entry of this amendment under 37 C.F.R. §1.116 as the present amendment only cancels claims and amends the independent claims to recite allowable subject matter as suggested by the outstanding Office Action.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.


Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)
RFF/rac



Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Nikolaus P. Schibli, Ph.D.
Registered Patent Agent
Registration No. 56,994